

MILLER IS MADE SUPERVISOR

Falls City Man Will Manage the Census in the First District.

MR. BURKETT MAKES THE APPOINTMENT

Intercollegiate Oratorical Contest to Occur in Lincoln Next Friday Evening is the Leading Topic in University Circles.

LINCOLN, May 2.—(Special.)—Congressman Burkett, after a consultation with Senator Hayward today, decided to appoint Fred W. Miller of Falls City supervisor of census for the first congressional district of Nebraska, consisting of the counties of Lancaster, Cass, Otoe, Richardson, Nemaha, Pawnee and Johnson.

quities at the various depots and found that Mr. Hensel did not purchase a railroad ticket or put in an appearance at any of the stations. Bert Hensel, a brother of the missing man, arrived in Hastings last night from Cozad and has been sending dispatches all day to various places about the state and Kansas, but so far has not been able to get any trace of his brother. When Hensel left home last Thursday morning he was dressed in his working clothes and had about \$25 on his person. This causes many to think he has been foully dealt with. In fact, everything points in that direction, as he is single and has been living alone with his mother in Hastings for nearly ten years, during which time he has never left the city for a day without having given his mother notice. He is a brick and stone contractor and has many contracts on hand. As he has considerable money standing out in Hastings and is not known to be owing anybody he could not have gone to avoid financial troubles.

SEVERAL CANDIDATES FOR CHIEF

Present Official More Than Willing to Hold Over.

LINCOLN, May 2.—(Special.)—It is quite probable that a change will be made in the office of the chief of the fire department within the next few days. Chief W. J. Weidman is seeking to complete one of them to withdraw from the race by laying him off temporarily. Captain Stopher of engine house No. 3, who is a strong candidate for the position, and Lieutenant Tracy of the central station, were laid off for a chief Weidman said the good reason for this is the chief charges that at a recent fire Stopher laid a short hose, connecting with a wrong hydrant. Weidman says there is absolutely no truth in the statement that he suspended Stopher because he was a candidate for the office. Stopher, however, denies the charges made by the chief and announces his intention of continuing as a candidate. Another candidate who has received the support of a large number of insurance men and property owners, is ex-Chief Malone, who has also been laid off. He is spoken of as a probable successor to Warden Leidigh of the state penitentiary.

The Board of Education last night reconsidered its former action in designating the High school auditorium as the place where the commencement exercises of the High school shall hereafter be held. This action of the board stirred up quite a feeling among the students and last night a committee from the graduating class made a formal protest, asking that the former decision of the board be changed and that the place be allowed to hold its annual commencement in an opera house as has been the custom since the High school was established. Until this year none of the school rooms in the city were large enough to accommodate the number of people who desire to attend the exercises. The auditorium in the new High school building has a seating capacity nearly as large as the opera house, but the students thought the event of sufficient importance to warrant a change of place and they wish to have it decided by the board. Dr. Fletcher L. Wharton, pastor of St. Paul's Methodist Episcopal church, has been asked to deliver the commencement oration.

The grand lodge of the Ancient Order of United Workmen has changed the date of its next week and continue in session for at least four days. This will be the biennial meeting of the order and business of considerable importance will be considered. It is expected that between 600 and 800 delegates will be in attendance. On the charge of lobbying the postoffice at Boulder, Col., George Rogers, alias Frank Ray, was bound over to the United States court by Commissioner Billingsley last night. Rogers was preliminary examination by the postmaster at Boulder, informed that the man to Denver today. Rogers was taken in this city about a week ago for attempting to fleece a suburban groceryman. Stamps, money orders, and other articles were found in his pockets when arrested, also a letter signed by the postmaster at Boulder, and the fact that the man was being tampered with in his office. It is thought that Rogers was the letter in the office and suspecting something wrong, opened it and immediately called the postmaster.

Chancellor MacLean addressed a meeting of parents and relatives of pupils in the Clinton school tonight on some of the elements of education. Music was furnished by the University Mandolin club. The late Sam E. Levy, who was at the funeral, was clerk of the district court, were read when court convened yesterday. The three judges of the court, E. P. Holmes, A. J. Cornish and Lincoln Frost, received the results of the election from S. L. Gelhardt, who presented them on behalf of the county that had been appointed by Judge Holmes.

The second of a series of open air concerts was given this evening by the University Cadet band on the campus of the State university.

WORK OF CONFEDERATE BILLS

Second Man Receives the First Man's

NORTH PLATTE, Neb., May 2.—(Special.)—Last Friday Richard Neary and George Kenworthy, two former boys, founded up a Syrian peddler and purchased some of his wares, giving in return considerable money. They were arrested and brought before the county judge at five o'clock and each fined \$20. The fines were paid and the boys liberated. Kenworthy purchased \$5 cents worth of goods and gave the peddler a \$5 confederate bill and received the change. The success of Kenworthy caused Neary to purchase a worth of goods and tender a \$20 confederate bill. He received in change the \$5 confederate bill passed by Kenworthy and the other change in legal tender. The federal agents are looking into the matter and the boys may still have further trouble.

Funeral of Mrs. John Kloke

WEST POINT, Neb., May 2.—(Special.)—The funeral of Mrs. John Kloke, deceased wife of ex-County Treasurer Kloke, was very largely attended. Many persons from neighboring towns attended the obsequies. Solemn requiem high mass was sung by the rector, Very Reverend Joseph Ruesch, and the remains were laid to rest in the Catholic cemetery south of the city. The deceased was the sister-in-law of President Robert Kloke of the Nebraska State bank and is connected by marriage with a large number of prominent Cuming county families. She was 54 years old and leaves a large family of children.

Company Mustered In

ORD, Neb., May 2.—(Special.)—Adjutant General Barry came up on last evening's train for the purpose of mustering in Company B of the reorganized Nebraska National guard. Lieutenant Divine of the old company secured thirty names, twenty-one of whom were sworn in. After being sworn in the company elected the following officers: Charles E. Locke, captain; James A. Patton, first lieutenant; George H. Pierce, second lieutenant.

CONDITION OF THE CROPS

Weekly Bulletin Sent Out from the Weekly Nebraska State University.

RAINFALL ABOVE NORMAL FOR THE WEEK

Small Grain Nearly All Sown and Early Sown Coming Up Rather Unevenly in Most Localities in the State.

LINCOLN, May 2.—(Special.)—The past week has been warm, with high winds, much sunshine and an excess of rainfall. The average daily temperature excess has varied from 9 degrees in the eastern counties to 4 degrees in the western.

The rainfall has been above normal, except in the southern portion of the state. Most of the rain fell in the last two days of the week and the ground was very dry in most parts of the state during the greater part of the week.

The past week has been favorable for farm work and rapid progress has been made in most counties. However, in a few localities the dry soil the first of the week retarded the work somewhat. Small grain is now nearly all sown and the early sown is coming up rather unevenly in most localities because of the dry condition of the soil.

Winter wheat has improved slightly in the extreme southeastern counties, but most of the crop in the state is dead. Plowing for corn has been general in all counties and a large proportion of the corn ground is now ready to plant, but as yet very little corn has been planted. The report by counties is as follows:

Southeastern Section

Butler—Spring grain coming up unevenly; good week for work.

Cass—Small grain coming up nicely; rye looks well; winter wheat nearly a failure; grass growing thickly; corn planting general.

Clay—Spring wheat and oats coming up; pastures becoming green; some corn planted; alfalfa and red clover badly damaged.

Fillmore—Not much improvement in wheat; cats coming up; ground being plowed for corn; spring grain about sown.

Gage—Most of the winter wheat ground will be put in other grain; oats coming up; corn planting commenced.

Hamilton—Spring grain and grass growing fast since the rain of the 25th; winter wheat badly killed.

Jefferson—Spring work progressing nicely; considerable fall wheat being plowed up; grass in pastures coming up.

Johnson—Rain a great benefit to pastures and oats—wheat improving; some corn planted.

Lincoln—Corn planted; wheat coming up; blue grass pastures in fine condition; good week for work.

Nemaha—The rain has helped all crops and pastures; ground moist; grass starting; some peach buds developing.

Nuckolls—Rain very beneficial to wheat and pastures; oats doing finely; grass in pastures good; corn planting general.

Pawnee—Rain has been beneficial to winter wheat; oats coming up; corn planting commenced; fruit blossoms are slow in appearing.

Polk—Oats coming up rather unevenly; very few fields of winter wheat will be left, but some fields are in good condition.

Richardson—Wheat improving; oats mostly up; corn planting begun; potatoes planted; fruit trees, except peach, in bloom; grass starting nicely.

Salina—Winter wheat will nearly all be put into oats and corn; ground dry, but oats coming up fairly well.

Saunders—Windy and windy until the last two days, when heavy rains fell, placing the ground in good condition.

Seward—Good week for farm work; seedling now finished; oats doing well; wheat coming up nicely; farmers all busy plowing for corn.

Thayer—Wheat not improving; oats coming up more rapidly; plowing for corn planted; plum, cherry and apple trees in bloom.

York—Chances for rain winter wheat still decreasing and very little will be left; apple and plum trees in bloom.

Northeastern Section

Antelope—Wheat and grass starting nicely; some corn planted; grass making a good start; oats in good condition.

Boyd—Small grain and grass growing well; some plowing for corn.

Burt—Blue grass doing well; small grain doing nicely.

Cedar—Wheat up in places and looks fine; seedling all done.

Colfax—Small grain needs rain; wheat damaged by high wind; grass is growing fairly well.

Cumby—Wheat and oats coming up, but need rain; tame grass is good; wild grass backward.

Dakota—Very dry; some grain not growing on account of drought.

Dodge—Several fields of winter wheat still decreasing and very little will be left in reunion at the same time.

Dodd—Wheat and rye starting nicely; wild grass starting very slowly.

Madison—Small grain and grass are growing slowly.

Matthew—Small grain coming up rather thin owing to soil being dry; plowing for corn progressing; winter wheat mostly dead.

Stanton—Wheat and rye starting nicely; plowing for corn well advanced; small corn in; winter killed blackberries, strawberries and peaches.

Stanton—Seedling done and large per cent of wheat up, growing well; grass growing slowly; plowing for corn well advanced.

Thurston—Warm and windy, with two good showers; plowing for corn well advanced; Washington—Small grain all sown; wheat and oats coming up slowly.

Wayne—Rain on 26th gave small grain good start; plowing for corn well commenced; ground in fine condition.

Central Section

Boone—Owing to dry weather spring wheat coming up unevenly; some plowing for corn; oats starting nicely.

Buffalo—Spring wheat coming up unevenly; corn planting begun.

Guthrie—Small grain coming up irregularly, except in southern portion, where heavy rains improved conditions.

Dawson—Dry and windy; winter wheat badly damaged and spring wheat needs rain.

Garfield—Showers, but not very beneficial; wheat and oats look well.

Greeley—Good growing week; seedling of small grain complete; some coming up and growing fast; prairie grass starting.

Hall—Early sown wheat and oats look fairly well; ground in good condition; winter wheat badly killed.

Merrick—Spring grain coming up nicely; grass nicely started; some little corn listed.

Nance—Wheat all sown; oats about all in the ground; winter wheat mostly dead; plowing for corn in progress.

Sherman—Small grain sown; wheat and oats coming up slowly; plowing for corn in progress; ground in good condition.

Valley—Heavy rains in central and southern parts of county, very beneficial to small grain; cold and windy.

Wheeler—Small grain all in; grass beginning to grow.

Southwestern Section

Adams—Wheat improving some; fruit trees commencing to bloom; grain about a week later than usual; plowing for corn in progress.

Chase—Wheat coming up nicely; alfalfa growing well.

Dundy—Wheat is up and growing, some injured by high winds.

Franklin—Spring wheat looking well; corn planting general.

Frontier—Grass just starting; good deal of high wind; rain needed.

Furnas—Considerable winter wheat being plowed up; spring wheat coming up fairly well; alfalfa looks fine; cherry and plum trees in bloom.

Harper—High winds, cold nights, crops backward; getting dry.

Grant—Small grain backward; corn planting commenced; spring wheat coming up nicely; rye looked well.

Have—Coming up, but rain now in high winds have done much damage.

Hitchcock—Dry and windy; all crops need rain; large proportion of fruit trees and shrub winter killed; plowing for corn.

Kearney—Spring wheat and oats looking well, but rather dry for grain; large per cent of corn ground plowed and some corn planted.

Keith—Seedling about completed; some corn ground plowed.

Lincoln—Rain needed; small grain; some corn planted; plum trees in bloom.

Perkins—Wheat all sown and some corn planted; plum trees in bloom.

Box Butte—Ground very dry; grass starting slowly.

Cherry—Very dry and windy; very little plowing yet.

Cheyenne—Wheat very dry and windy; grass and alfalfa doing well.

Dawes—Wheat mostly sown; ground dry; grass ranges mostly well.

LAST GASP OF HOLD-UP GANG

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The motion was accompanied by a brief containing the arguments in the case. A five-minute argument was made by the attorneys on each side of the case. In the meantime Attorney Breckenridge, for Moore, will take time to file a brief in support of the order of dismissal, and by Ransom and Wright. The motion filed by the relator states that a majority of the court once decided the case on the findings of the referee and that the final order of the court in dismissing the case was based on a law that is unconstitutional and void.

The argument in the brief filed this morning says in part: "It will be observed that we are not at this time seeking to change the opinion of any member of this court upon any of the propositions which are presented in this case, but we are simply insisting that the judgment shall be entered in accordance with the opinions of the various decisions relating to this matter. We are insisting that the opinion of the majority of the court on any separate proposition shall be controlling on the court, and that a dismissal of an action shall not be had by the opinion of a minority of the court. For this reason we are not applying for a new trial, because it is not a new trial or a rehearing which we desire, but our application is in the nature of a motion for a judgment upon the special findings."

NEW POINTS MADE

The principal new point made in the brief is a request for a judgment of ouster on the ground that the only claim of the relator is to office under and by virtue of chapter xv of the Session laws of 1887, which is the present city charter of Omaha. This charter is said to be unconstitutional and void for the reason that the provisions therein with reference to the election of a police magistrate with reference to the appointment of a fire and police commission are void and they are so integral a part of and acted as an inducement for the passage of the said charter that the entire act is unconstitutional.

This part of the motion is supported by various precedents in which it is set up that Justice Norval dissented in the case in which the validity of the Omaha charter was upheld and that because of his dissent he now is not justified in holding for his title.

If this contention of the attorneys for Broatch should be upheld it would not only displace the mayor holding under the present charter, but all the other officers who hold under that charter and reinstate Broatch and all the city officials who were ousted out by the Howell-Ransom bill.

A peculiar part of this motion is that Ransom, one of the chief sponsors of the charter in the legislature, attaches his name to the brief attacking its constitutionality.

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Mrs. Eliza Wike, 190 Iron St., Akron, O., Mrs. Eliza Wike says: "I would not be in my grave now if it had not been for your God-sent remedy, Pe-ru-na. Every body says I am looking so much better. No doctor could help me as Pe-ru-na did. I was a broken down woman. It is now seven years past that I was cured."

Mrs. Sarah Galitia, of Luton, Ia., also writes: "I was suffering with the change of life. I had spells of flowing every two or three weeks which would leave me nearly dead. I had given up hope of being cured when I heard of Dr. Hartman's remedy and began to use them. I am entirely cured and give all the credit to Pe-ru-na and Man-a-lin."

A healthy woman is becoming more and more rare. But comparatively few women who are suffering with catarrh know that this is the cause. Their trouble is called dyspepsia, neuralgia, female weakness, nervous taint, nervous debility, indigestion, almost the whole category of medical terms.

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